

**REMARKS****Overview**

Claims 17-30 are pending in this application. Claims 17, 21, 24, 29 and 30 have been amended. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance are therefore respectfully requested.

**Issues Under 35 U.S.C. § 102**

Claims 17, 18, 20-24 and 27 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U. S. Patent No. 4,334,315 to Ono et al. It is respectfully submitted that these rejections have been overcome. In particular, claim 17 has been amended to add the limitation of "wherein the processor is adapted for digitally processing the electrical signals to package for transmission." Support for this amendment is found at least on page 8 of the Specification (lines 20-23). As Ono does not disclose this limitation in claim 17, this rejection must be withdrawn. As claims 18 and 20 depend from claim 17, these rejections should also be withdrawn.

Claim 21 has been similarly amended to now require that the processor is "adapted for digitally processing the electrical signals to package for transmission." As Ono does not disclose this limitation, this rejection to claim 21 should be withdrawn. As claims 22-24 and 27 depend from claim 21, these rejections must also be withdrawn.

**Issues Under 35 U.S.C. § 103**

Claims 19, 25, 26, and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono in view of U. S. Patent No. 6,181,801 to Puthuff et al. These rejections are respectfully traversed.

It is observed that neither Ono nor Puthuff provide the digital processing required by the current claims. Therefore, no combination of Ono or Puthuff would meet each and every limitation of the claims. Therefore these rejections to claims 19, 25, 26, and 28 should be withdrawn.

Claim 29 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ono in view of U. S. Patent No. 5,917,698 to Viallet and U. S. Patent No. 5,664,012 to Chen. These rejections are respectfully traversed. For the reasons previously expressed, Ono is deficient in that it does not provide for digital processing, amongst other missing elements. Neither Viallet nor Chen provide for digital processing by an earpiece, therefore these rejections must be withdrawn.

Claim 30 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 5,721,783 to Anderson in view of Viallet. This rejection is respectfully traversed. Claim 30 has been amended to refer to the connector as "an external connector." This is clear from the original specification, including, at least Figures 3-6 and the nature of the illustrated cradle. Anderson discloses a secondary wireless link and thus does not have an external connector for connecting with a phone. Nor does Viallet disclose such an external connector. Therefore, it is respectfully submitted that this rejection must be withdrawn.

### **Conclusion**

This is a request to extend the period for filing a response in the above-identified application for one month from March 9, 2005 to April 9, 2005. Applicant is a small entity; therefore, please charge Deposit Account number 26-0084 in the amount of \$60.00 to cover the

cost of the one month extension. Any deficiency or overpayment should be charged or credited to Deposit Account 26-0084.

Respectfully submitted,



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